



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450  
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*TPW*

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,780	03/25/2004	Benjamin Sullivan	38055.00004.CIP1

## CONFIRMATION NO. 9606

36183  
 PAUL, HASTINGS, JANOFSKY & WALKER LLP  
 P.O. BOX 919092  
 SAN DIEGO, CA 92191-9092

## FORMALITIES LETTER



\*OC000000012987721\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 11,18.
  - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 12-18. : 09/24/2004 MAHME1 00000030 10810780

SUMMARY OF FEES DUE:

01 FC:2051

65.00 OP

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Hlo*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent  
38055.00004.CIP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Benjamin Sullivan *et al.*

Application No.: 10/810,780

Filing Date: March 25, 2004

Confirmation No.: 9606

Group Art Unit: 3736

Examiner: TBD

For: SYSTEMS AND METHODS FOR  
REDUCING THE EFFECT OF  
CORRUPTIVE SIGNALS DURING  
NANOLITER OSMOMETRY

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Maria Carvalho

September 20, 2004

(Name) (Date)

Maria Carvalho

(Signature)

SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. **Documents Enclosed:**

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR 1.53(b)**, which was mailed by the Patent Office on June 18, 2004 enclosed are:

- Copy of Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.53(b) (2 pages);
- Executed Declaration (2 pages);
- Grant of Power of Attorney (1 page);

- Copies of Executed Assignment (2 pages);
- Recordation Form Cover Sheet (1 page);
- Replacement Drawings FIGS. 11-18 (8 sheets);
- Check for \$105.00;
- Fee Transmittal for FY 2004 (in duplicate); and
- Return Receipt Postcard.

**2. REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

<b>EXTENSION (months)</b>	<b>FEE FOR SMALL ENTITY</b>	<b>FEE FOR OTHER THAN SMALL ENTITY</b>
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two month	\$210.00	\$420.00
<input type="checkbox"/> three month	\$475.00	\$950.00
<input type="checkbox"/> four month	\$740.00	\$1,480.00
<input type="checkbox"/> five month	\$1005.00	\$2,010.00

**3. FILING FEES**

**BASIC FILING FEE:** \$0.00

Total Claims	- 20 =	6 x \$18.00	\$0.00
Independent Claims	- 3 =	0 x \$42.00	\$0.00
Multiple Dependent Claims	\$280	(if applicable)	<input type="checkbox"/> \$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)	\$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$130.00</b>
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.			<input checked="" type="checkbox"/> \$65.00
Extension of Time (from above)			<input type="checkbox"/> \$0.00
Assignment--\$40 (if applicable)			<input checked="" type="checkbox"/> \$40.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>			<b>\$105.00</b>

4. **METHOD OF PAYMENT OF FEES:**

Check in the amount of \$105.00 is enclosed to cover the above fee(s).  
 Charge Deposit Account No. **50-2613** in the amount of \$0.00.  
 The Commissioner is authorized to charge Counsel's Deposit Account No. **50-2613** for any additional fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-2613**.

Respectfully submitted,

**PAUL, HASTINGS, JANOFSKY, & WALKER LLP**

Dated: 20-Sept-04

By:

Noel C. Gillespie  
Reg. No. 47,596

NCG/mfc

**PAUL, HASTINGS, JANOFSKY, & WALKER LLP**

**CONFIRMATION NO.: 36183**

P.O. Box 919092

San Diego, CA 92191-9092

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Facsimile: (858) 720-2555

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# OTPE FEE TRANSMITTAL for FY 2004

SEP 23 2004

for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

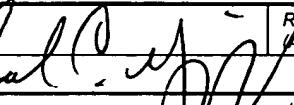
Complete if Known

Application Number	10/810,780
Filing Date	March 25, 2004
First Named Inventor	Benjamin Sullivan et al.
Examiner Name	TBD
Art Unit	3736
Attorney Docket No.	38055.00004.CIP1

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT 105.00

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account:					<b>3. ADDITIONAL FEES</b> Large Equity      Small Equity					
Deposit Account Number 50-2613 Deposit Account Name Paul, Hastings, Janofsky & Walker LLP					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
					1051	130	2051	65	Surcharge - late filing fee or oath	\$65.00
					1052	50	2052	25	Surcharge - late provisional fee or cover sheet	
					1053	130	1053	130	Non-English specification	
					1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
					1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
					1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
					1251	110	2251	55	Extension for reply within first month	
					1252	420	2252	210	Extension for reply within second month	
					1253	950	2253	475	Extension for reply within third month	
					1254	1,480	2254	740	Extension for reply within fourth month	
					1255	2,010	2255	1,005	Extension for reply within fifth month	
					1401	330	2401	165	Notice of Appeal	
					1402	330	2402	165	Filing a brief in support of an appeal	
					1403	290	2403	145	Request for oral hearing	
					1451	1,510	1451	1,510	Petition to institute a public use proceeding	
					1452	110	2452	55	Petition to revive - unavoidable	
					1453	1,330	2453	665	Petition to revive - unintentional	
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>					Fee Paid					
Total Claims      -20**= 0      x 0 = 0 Independent Claims      - 3**= 0      x 0 = 0 Multiple Dependent      0 = 0					1501	1,330	2501	665	Utility issue fee (or reissue)	
					1502	480	2502	240	Design issue fee	
					1503	640	2503	320	Plant issue fee	
					1460	130	1460	130	Petitions to the Commissioner	
					1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
					1806	180	1806	180	Submission of Information Disclosure Stmt	
					8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$40.00
					1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
					1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
					1801	770	2801	385	Request for Continued Examination (RCE)	
					1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$)					Other fee (specify)					
** or number previously paid, if greater; For Reissues, see above.					*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$ 105.00)

Name (Print/Type)	Noel C. Gillespie	Registration No (Attorney/Agent)	47,596	Telephone 858-720-2500
Signature				Date September 20, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

The collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.